

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

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) MDL No. 2804  
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Case No. 1:17-MD-2804-DAP

Judge Dan Aaron Polster

**MOTION FOR LEAVE TO SUBSTITUTE COUNSEL FOR DEFENDANTS  
EXPRESS SCRIPTS, INC., EXPRESS SCRIPTS PHARMACY, INC., ESI  
MAIL PHARMACY SERVICE, INC., AND EVERNORTH HEALTH INC.**

Defendants Express Scripts, Inc., Express Scripts Pharmacy Inc., ESI Mail Pharmacy Service, Inc., and Evernorth Health, Inc. (formerly known as “Express Scripts Holding Company”) (collectively, “Express Scripts”), by and through undersigned counsel, respectfully move under Local Rule 83.9 for leave of Court to substitute Michael J. Lyle and Jonathan Cooper of the law firm Quinn Emanuel Urquhart & Sullivan, LLP (together, “Quinn Emanuel counsel”) as counsel of record in place of the law firm Kobre & Kim LLP and its current or former attorneys, including but not limited to Julian W. Park, Alana F. Montas, Adriana Riviere-Badell, Matthew I. Menchel, Steven G. Kobre, and Alexandria E. Swette.<sup>1</sup>

Express Scripts wishes to substitute Quinn Emanuel counsel for Kobre & Kim LLP and its attorneys in connection with all matters pending in *In re National Prescription Opiate Litigation*, Case No. 1:17-md-02804-DAP (the “Opiate MDL”) in which Kobre & Kim LLP and its attorneys have entered an appearance on behalf of Express Scripts.

Undersigned counsel certify that they have provided written notice of the substitution to Express Scripts, which has consented to this substitution. Undersigned counsel certify that by

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<sup>1</sup> Former Kobre & Kim LLP attorney Julian W. Park previously left Kobre & Kim LLP.

the CM/ECF service of this filing they have notified all parties to the case of this substitution.

By filing this Motion, Express Scripts does not admit any facts or waive any rights, and instead expressly reserves all substantive and procedural rights, defenses, affirmative defenses, remedies, protections, immunities, and objections in connection with matters pending in the Opiate MDL, including all defenses related to jurisdiction and service of process.

Express Scripts and its counsel request that all future notices, correspondence, pleadings, and other filings be directed to Express Scripts' counsel at Quinn Emanuel Urquhart & Sullivan, LLP.

Dated: April 8, 2022

Respectfully submitted,

s/ Jonathan Cooper

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*Counsel for Defendants Evernorth  
Health, Inc., Express Scripts, Inc., ESI  
Mail Pharmacy Service, Inc., and  
Express Scripts Pharmacy, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of Ohio by using the CM/ECF system on April 8, 2022. I further certify that service will be accomplished by the CM/ECF system.

By /s/ Jonathan Cooper  
Jonathan Cooper